

FILED

Nov 16, 2010

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: DIGITEK PRODUCTS LIABILITY
LITIGATION**

MDL No. 1968

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-36)

On August 13, 2008, the Panel transferred 8 civil action(s) to the United States District Court for the Southern District of West Virginia for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* 571 F.Supp.2d 1376 (J.P.M.L. 2008). Since that time, 290 additional action(s) have been transferred to the Southern District of West Virginia. With the consent of that court, all such actions have been assigned to the Honorable Joseph R Goodwin.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Southern District of West Virginia and assigned to Judge Goodwin.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Southern District of West Virginia for the reasons stated in the order of August 13, 2008, and, with the consent of that court, assigned to the Honorable Joseph R Goodwin.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Southern District of West Virginia. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Nov 15, 2010

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

**IN RE: DIGITEK PRODUCTS LIABILITY
LITIGATION**

MDL No. 1968

SCHEDULE CTO-36 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
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CALIFORNIA EASTERN

CAE	1	10-01722	Layman v. Actavis Totowa LLC, et al.
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Activity in Case MDL No. 1968 IN RE: Digitek Products Liability Litigation
JPMLCMECF to: JPMLCMDECF

11/15/2010 10:19 AM

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United States

United States Judicial Panel on Multidistrict Litigation

Notice of Electronic Filing

The following transaction was entered on 11/15/2010 at 10:19 AM EST and filed on 11/15/2010

Case Name: IN RE: Digitek Products Liability
Litigation

Case Number: [MDL No. 1968](#)

Filer:

Document
Number: No document attached

Docket Text:

*****TEXT ONLY ENTRY*****

MINUTE ORDER - TO INVOLVED CLERKS - Conditional Transfer Order (CTO-36)
Finalized on 11/15/2010. Please see pleading (3 in CAE/1:10-cv-01722, 192 in MDL No. 1968).

As stipulated in Rule 7.1(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 7 days to give any party an opportunity to oppose the transfer.

The 7-day period has now elapsed, no opposition was received, and the order is directed to the Clerk of the United States District Court for the S.D. West Virginia for filing. The Panels governing statute, 28 U.S.C. 1407, requires that the transferee clerk transmit a certified copy of the Panels order to transfer to the clerk of the district court from which the action is being transferred.

Signed by Clerk of the Panel Jeffery N. Luthi on 11/15/2010.

Associated Cases: MDL No. 1968, CAE/1:10-cv-01722 (TB)

Case Name: Layman v. Actavis Totowa LLC, et
al.

Case Number: [CAE/1:10-cv-01722](#)

Filer:

**Document
Number:**

No document attached

Docket Text:

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No public notice (electronic or otherwise) sent because the entry is private